

**Submission
No 130**

**INQUIRY INTO PROVISIONS OF THE RIGHT TO FARM
BILL 2019**

Organisation: Clarence Valley Conservation Coalition Inc

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Submission on Provisions of the Right to Farm Bill 2019

Introduction:

The Clarence Valley Conservation Coalition (CVCC) is a Grafton-based community group which has been involved with a wide variety of conservation issues in the Clarence Valley and beyond since its formation in 1988.

Scope of the Bill:

The CVCC has serious concerns about the scope of this Bill. While it purports to be about protecting farmers from people going onto their lands and disturbing their farming activities, it is in effect, a further move by the Government to limit the right of people to peacefully protest – a right which is a cornerstone of our democracy.

Right to Farm:

In relation to the “right to farm” which ostensibly is the focus of this legislation, the CVCC understands that there are already existing laws which deal adequately with trespass on farms. Furthermore, these existing laws (from 2016) have substantial financial penalties.

Penalties:

The increase in penalties under this Bill is obviously intended to intimidate community members so that they are wary of undertaking peaceful protests for valid reasons in inclosed lands or indeed for encouraging or inducing others to participate in such protests. These penalties – a fine of \$13,200 or a year’s imprisonment or both (if acting alone) are draconian and are a gross over-reach. For acting with others the penalties are even harsher.

Inclosed Lands:

As mentioned above, the scope of the Bill is a matter of serious concern because “inclosed lands” covers a very large range of venues – well beyond farms. It includes for example schools, hospitals, mine sites, banks and many State Forests (where they are fenced or defined by a natural feature).

State Forests:

The CVCC is particularly concerned about the impact of the Bill on the scrutiny by concerned community members of operations in State Forests. The Bill includes forestry as an agricultural activity – so presumably even if a State Forest was not “inclosed”, protesters or those checking on forestry operations in such a forest would be subject to its provisions.

Given the very poor compliance record of forestry authorities as well as the recent liberalisation of logging rules by the Government, the on-going scrutiny of forestry operations by community groups is very important. It is important for a number of reasons including the growing biodiversity crisis we are in – particularly in relation native species habitat and threatened species such as the Koala. It is also important in relation to ensuring that the current weakened logging regulations are actually adhered to – something which has been a major issue for years.

The community has every right to scrutinise forestry activities – and to protest against unsustainable practices – given that the State Forests belong to the people of this state – not to the timber industry or the Government.

Conclusion:

The Clarence Valley Conservation Coalition believes that this Bill should be defeated because it is unnecessary as well as being an attack on the right to peacefully protest which is a fundamental right for the community of this state.

Leonie Blain
Hon Secretary